

in the sum of \$400, conditioned in part that it should not be sold or otherwise disposed of contrary to law, and be reconditioned under the supervision of this department.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**15790. Adulteration and misbranding of lactein modified concentrated buttermilk. U. S. v. 25 Barrels, et al, of Lactein Modified Concentrated Buttermilk. (F. & D. No. 22818. I. S. No. 21105-x. S. No. 869.)**

On June 12, 1928, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 24 barrels, 1½ barrels, and 42 kegs of lactein modified concentrated buttermilk, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the Lactein Co., Modesto, Calif., alleging that the article had been shipped from Modesto, Calif., on or about May 4, 1928, and transported from the State of California into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a lightly concentrated skim milk product, from which a material proportion of the lactose had been removed and to which sulphuric acid had been added, had been substituted in part for the said article, in that a valuable ingredient, lactose, had been in part removed, and in that it was mixed in a manner whereby damage and inferiority were concealed.

Misbranding was alleged for the reason that the designation borne on the label, "Concentrated Buttermilk," was false and misleading and deceived and misled the purchaser, and in that the article was offered for sale under the distinctive name of another article.

On June 29, 1928, the Lactein Co., Modesto, Calif., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, conditioned in part that it should not be sold or otherwise disposed of contrary to law, and be relabeled and reconditioned under the supervision of this department.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**15791. Adulteration of fig paste. U. S. v. 156 Pounds of Fig Paste. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22079. I. S. No. 2721-x. S. No. 128.)**

On October 13, 1927, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 156 pounds of fig paste, remaining in the original unbroken packages at Hutchinson, Kans., alleging that the article had been shipped by the Rosenberg Bros. Co., from Fresno, Calif., on or about May 13, 1927, and transported from the State of California into the State of Kansas, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "California Fig Calimyrna Paste, order Rosenberg Bros. & Co., Hutchinson, Kansas."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance, which rendered it unfit for consumption as food.

On June 2, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

**15792. Adulteration of fig pulp. U. S. v. 542 Cases of Fig Pulp. Decree of condemnation entered. Product released under bond. (F. & D. No. 22208. I. S. No. 14494-x. S. No. 268.)**

On November 25, 1927, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 542 cases of fig pulp, remaining unsold in the original packages at Davenport, Iowa, alleging that the article had been shipped by the Garcia & Maggini Co., San Francisco, Calif., on or about September 26, 1927, and transported from Fresno, Calif., into the State of Iowa, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Paradise Brand California Fig Paste Packed by Garcia & Maggini Co. San Francisco, California."